

North Dakota Part C FFY 2005 SPP/APR Response Table

Monitoring Priorities and Indicators	Status	OSEP Analysis/Next Steps
<p>1. Percent of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner. [Compliance Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 59.26%. OSEP cannot determine whether this represents slippage from the FFY 2004 data of 98% because the State revised its timeliness standard. The State did not meet its FFY 2005 target of 100%.</p> <p>The State did not timely correct noncompliance related to this indicator. The State's FFY 2005 data under Indicator 9 indicate that there were 8 findings of noncompliance related to this indicator and that 6 of 21 total findings of noncompliance were timely corrected. Thus, all identified noncompliance related to Indicator 1 could not have been corrected.</p>	<p>The State revised its targets on April 6, 2007 and its timeliness standard and improvement activities for this indicator in its SPP and OSEP accepts those revisions.</p> <p>OSEP's March 28, 2006 SPP response letter required the State to include in the February 1, 2007 APR a revised timeliness standard and revised targets in accord with that standard. The State revised its timeliness standard to indicate that it provides early intervention services on or before the start date listed on the IFSP and submitted its revised targets. However, the State's FFY 2005 data show noncompliance with the timely service provision requirements in 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1).</p> <p>The State did not specify whether its FFY 2005 data include delays due to documented exceptional family circumstances. If the State tracks these data and wishes to include them in the FFY 2006 APR due February 1, 2008, the number of children for whom the timeline was not met due to documented exceptional family circumstances would be included in both the numerator and the denominator of the calculation for this indicator, and the State must also provide the specific numbers for its calculation.</p> <p>The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to include data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the timely service provision requirements in 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1), including correction of noncompliance identified in FFY 2005 and the remaining noncompliance that was reported under Indicator 9 of the FFY 2005 APR.</p>
<p>2. Percent of infants and toddlers with IFSPs who primarily receive early intervention services in the home or programs for typically</p>	<p>The State's FFY 2005 reported data for this indicator are 98.26%. The State met its FFY 2005 target of 96.3%.</p>	<p>The State met its target and OSEP appreciates the State's efforts to improve performance.</p> <p>OSEP's March 28, 2006 SPP response letter required the State to include in the February 1, 2007 APR data on direct early intervention services other than home visits and parent support and confirmation that early intervention services are</p>

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<p>developing children. [Results Indicator]</p>		<p>made on an individualized basis. The State provided the data and assured that early intervention services are “individualized and look different for every family.” It is important that the State continue to monitor to ensure that IFSP teams make individualized decisions regarding the settings in which infants and toddlers receive early intervention services, in accordance with Part C natural environment requirements.</p>
<p>3. Percent of infants and toddlers with IFSPs who demonstrate improved:</p> <ul style="list-style-type: none"> A. Positive social-emotional skills (including social relationships); B. Acquisition and use of knowledge and skills (including early language/communication); and C. Use of appropriate behaviors to meet their needs. <p>[Results Indicator; New]</p>	<p>Entry data provided for FFY 2005.</p>	<p>The State reported the required entry data and activities, but did not provide criteria for defining “same age peers.” The State must provide progress data, improvement activities and its criteria for defining “same age peers” with the FFY 2006 APR, due February 1, 2008.</p>
<p>4. Percent of families participating in Part C who report that early intervention services have helped the family:</p> <ul style="list-style-type: none"> A. Know their rights; B. Effectively communicate their children's needs; and C. Help their children develop 	<p>Baseline, targets, and improvement activities provided.</p> <p>The State’s reported baseline data for this indicator are:</p> <ul style="list-style-type: none"> 4A. 84.51% 4B. 88.68% 4C. 85.29% 	<p>The State provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p>

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and learn. [Results Indicator; New]		
5. Percent of infants and toddlers birth to 1 with IFSPs compared to: A. Other States with similar eligibility definitions; and B. National data. [Results Indicator]	The State's FFY 2005 reported data for this indicator under IDEA section 618 are 1.58%. This represents slippage from FFY 2004 data of 1.72%. The State did not meet its FFY 2005 target of 1.75%.	The State revised improvement activities for this indicator in its SPP and OSEP accepts the revision. OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2006 APR, due February 1, 2008.
6. Percent of infants and toddlers birth to 3 with IFSPs compared to: A. Other States with similar eligibility definitions; and B. National data. [Results Indicator]	The State's FFY 2005 reported data for this indicator under IDEA section 618 are 3.02%. This represents progress from FFY 2004 data of 2.80%. The State met its FFY 2005 target of 2.89%.	The State revised an improvement activity for this indicator in its SPP and OSEP accepts those revisions. The State met its target and OSEP appreciates the State's effort to improve performance.
7. Percent of eligible infants and toddlers with IFSPs for whom an evaluation and assessment and an initial IFSP meeting were conducted within Part C's 45-day timeline. [Compliance Indicator]	The State's FFY 2005 reported data for this indicator are 39.39%. This represents slippage from the FFY 2004 data of 46.07%. The State did not meet its FFY 2005 target of 100%. The State did not timely correct noncompliance related to this indicator. The State's FFY 2005 data under Indicator 9 indicate that there were 8 findings of	OSEP's March 28, 2006 SPP response letter required the State to ensure that noncompliance regarding the requirements in 34 CFR §§303.321(e)(2), 303.322(e)(1) and 303.342(a) was corrected within one year of its identification and include data in the February 1, 2007 APR demonstrating compliance with those requirements. The FFY 2005 data show continuing noncompliance with these requirements as well as slippage from the State's FFY 2004 data. OSEP's March 28, 2006 SPP response letter also required the State to submit data by June 1, 2006 demonstrating compliance with the requirements in 34 CFR §§303.321(e)(2)(i), 303.322(c)(3)(ii) and 303.322(e)(1) that evaluations in five developmental areas are conducted within 45 days of referral of the child to the Part C program. OSEP's September 25, 2006 response to the State's June 1,

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	<p>noncompliance related to this indicator and that 6 of 21 total findings of noncompliance were timely corrected. Thus, all identified noncompliance related to Indicator 7 could not have been corrected.</p>	<p>2006 submission, as well as the State's September 28, 2006 Part C grant award letter, required the State to include data in the February 1, 2007 APR demonstrating compliance with these requirements (and specifically addressing vision and hearing). The State did not submit any additional data in this indicator specifically regarding timely evaluations in the five required developmental areas or that addressed vision and hearing. The State acknowledged problems with hearing screenings and indicated that it is in the process of implementing improvement activities to resolve these problems.</p> <p>The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to include data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the 45-day timeline requirements in 34 CFR §§303.321(e)(2), 303.322(e)(1) and 303.342(a) including the requirements in 34 CFR §303.322(c)(3)(ii)(and specifically addressing vision and hearing), including correction of noncompliance identified in FFY 2005 and the remaining noncompliance that was reported under Indicator 9 of the FFY 2005 APR.</p>
<p>8A. Percent of all children exiting Part C who received timely transition planning to support the child's transition to preschool and other appropriate community services by their third birthday including:</p> <p>A. IFSPs with transition steps and services;</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 100%. The State met its FFY 2005 target of 100%.</p>	<p>OSEP's March 28, 2006 SPP response letter indicated that OSEP looked forward to data in the February 1, 2007 APR demonstrating compliance with the requirements in 34 CFR §§303.148(b)(4) and 303.344(h). The State's FFY 2005 data show compliance with these requirements.</p> <p>OSEP appreciates the State's efforts in achieving compliance and looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that continue to demonstrate compliance with the requirements in 34 CFR §§303.148(b)(4) and 303.344(h).</p>
<p>8B. Percent of all children exiting Part C who received timely transition planning to support the child's transition to preschool and other appropriate</p>	<p>The State's FFY 2005 reported data for this indicator are 95.52%. This represents slippage from the FFY 2004 data of 100%. The State did not meet its FFY 2005 target of</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements in 34 CFR §303.148(b)(1), including correction of noncompliance identified in FFY 2005.</p>

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<p>community services by their third birthday including:</p> <p>B. Notification to LEA, if child potentially eligible for Part B; and</p> <p>[Compliance Indicator]</p>	<p>100%.</p>	
<p>8C. Percent of all children exiting Part C who received timely transition planning to support the child's transition to preschool and other appropriate community services by their third birthday including:</p> <p>C. Transition conference, if child potentially eligible for Part B.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 83.33%. This represents slippage from the FFY 2004 data of 87%. The State did not meet its FFY 2005 target of 100%.</p> <p>The State's FFY 2005 data under Indicator 9 indicate that there were 4 findings of noncompliance related to this indicator and that 6 of 21 total findings of noncompliance were timely corrected, but the State did not specify if the 6 corrected findings included the findings related to this indicator. Thus, OSEP could not determine whether the State timely corrected noncompliance related to Indicator 8A.</p>	<p>OSEP's March 28, 2006 SPP response letter required the State to include in the February 1, 2007 APR data demonstrating compliance with the requirements in 34 CFR §303.148(b)(2)(i) and include in the data the number of delays due to documented exceptional family circumstances. The State's FFY 2005 data do not demonstrate compliance with these requirements.</p> <p>The State did not specify whether the FFY 2005 data include the number of delays due to documented exceptional family circumstances. If the State tracks these data and wishes to include them in the FFY 2006 APR due February 1, 2008, the number of children for whom the timeline was not met due to documented exceptional family circumstances would be included in both the numerator and the denominator of the calculation for this indicator, and the State must also provide the specific numbers for its calculation.</p> <p>The State must also review its improvement activities and revise, if appropriate, to ensure they will enable the State to include data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirement in 34 CFR §303.148(b)(2)(i) as modified by IDEA section 637(a)(9), including correction of noncompliance identified in FFY 2005 and the remaining noncompliance that was reported under Indicator 9 of the FFY 2005 APR.</p>
<p>9. General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later</p>	<p>The State's FFY 2005 reported data for this indicator are 28.57%, based on 6 of 21 findings of noncompliance timely corrected. OSEP cannot determine whether this represents slippage or progress</p>	<p>OSEP's March 28, 2006 SPP response letter required the State to submit data to OSEP by June 1, 2006 demonstrating the correction or status of noncompliance identified in FFY 2004 or correction of any noncompliance identified prior to FFY 2004. OSEP's September 25, 2006 response to the State's June 1, 2006 submission, as well as the State's September 28, 2006 Part C grant award letter, also required the State to include data in the February 1, 2007 APR</p>

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<p>than one year from identification. [Compliance Indicator]</p>	<p>because the State did not submit FFY 2004 baseline data for this indicator. The State did not meet its FFY 2005 target of 100%.</p>	<p>demonstrating timely correction of noncompliance. The State's FFY 2005 APR provided data indicating that the State made 21 findings of noncompliance as of October 2005, of which 6 were corrected by July 2006. However, the State did not specify which findings were corrected. The State also provided data indicating that it had made additional findings of noncompliance in October 2006 under its new monitoring system. The State reported that 9 of the findings were over a year old, but did not specify which findings. OSEP cannot determine the timely correction status of these findings of noncompliance. The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to include data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements in IDEA sections 616(a), 642, and 635(a)(10) and 34 CFR §303.501(b), including data on the correction of the remaining noncompliance that was reported under Indicator 9 of its FFY 2005 APR. The State reported how many findings were made for certain APR indicators, but when providing information regarding timely correction, the State did not indicate which findings were corrected. In its response to Indicator 9 in the FFY 2006 APR due February 1, 2008, the State must disaggregate by APR indicator the status of timely correction of the noncompliance findings identified by the State during FFY 2005. In addition, the State must, in responding to Indicators 1, 7, 8B and 8C specifically identify and address the noncompliance identified in this table under those indicators. As requested by OSEP's November 7, 2006 verification visit letter, the State submitted in its FFY 2005 APR, documentation on the implementation of its proposed strategies for ensuring timely correction of State-identified noncompliance. OSEP appreciates the State's submission of this information.</p>
<p>10. Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional</p>	<p>The State reported that it did not receive any signed written complaints during the FFY 2005 reporting period.</p>	<p>The State did not receive any signed written complaints during the FFY 2005 reporting period.</p>

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<p>circumstances with respect to a particular complaint.</p> <p>[Compliance Indicator]</p>		
<p>11. Percent of fully adjudicated due process hearing requests that were fully adjudicated within the applicable timeline.</p> <p>[Compliance Indicator]</p>	<p>The State reported that it did not receive any due process hearing requests during the FFY 2005 reporting period.</p>	<p>The State did not receive any due process hearing requests during the FFY 2005 reporting period.</p>
<p>12. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements (applicable if Part B due process procedures are adopted).</p> <p>[Results Indicator; New]</p>	<p>Not applicable.</p>	<p>The State has not adopted Part B due process procedures.</p>
<p>13. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>The State reported that it did not hold any mediations during the FFY 2005 reporting period.</p>	<p>The State is not required to provide targets or improvement activities until any FFY in which 10 or more mediations were conducted.</p>
<p>14. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2005 reported data for this indicator are 100%. The State met its FFY 2005 target of 100%.</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements in IDEA sections 616, 618, and 642, and 34 CFR §§303.176 and 303.540.</p>